

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension or Revocation)
)
of the Educator Certificate of)
)
Joseph Von Settlemyre,)
)
Certificate 218145)

**CONSENT ORDER OF
PUBLIC REPRIMAND**

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 8, 2006. On October 26, 2006, the State Department of Education (Department) sent notice by regular and certified mail to Joseph Von Settlemyre concerning possible disciplinary action on his educator certificate 218145. Upon receipt of that notice, Mr. Settlemyre contacted the Department's Office of General Counsel and agreed to waive his right to a hearing and accept the issuance of a public reprimand. After considering the evidence presented by the Department, the State Board voted to issue a public reprimand to Mr. Settlemyre.

Joseph
Von
Settlemyre

Initial Here

Date

FINDINGS OF FACT

Mr. Settlemyre holds a South Carolina certificate and currently has over three years of teaching experience with the Charleston County School District where he was assigned to Alice Burney Middle School as a seventh grade Social Studies teacher. During the May 2005 administration of the PACT, a School administrator observed Mr. Settlemyre reviewing a student test booklet and writing something on a piece of paper. Mr. Settlemyre indicated that he was looking at a blank test booklet and that he was not aware that this is prohibited by test security procedures. The District reported the incident to the Department, who referred the matter to State Law Enforcement Division (SLED) for

investigation. SLED's investigation was reviewed by the Solicitor's Office for the Ninth Judicial Circuit, who determined that criminal charges would not be pursued.

CONCLUSIONS OF LAW

"The State Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. §59-25-150 (2004), S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58. Just cause includes unprofessional conduct and violation of the rules and regulations of the State Board of Education. S.C. Code Ann. § 59-25-160 (2004); State Board Regulation 43-100, Test Security. The Board finds that the evidence presented supports its conclusion that just cause exists for a Public Reprimand to be issued to Mr. Settlemyre on the basis of a test security violation. Accordingly, the Board issues this Consent Order of Public Reprimand.

South Carolina State Board of Education

/s/ Joe Isaac

Joe Issac, Chair

Columbia, South Carolina

November 8, 2006

I, Joseph Von Settlemyre, SC Educator Certificate 218145, consent to this Order of Public Reprimand, consisting of two pages, and understand that this Order will be presented as signed to the State Board of Education on November 8, 2006.

/s/ Joseph V. Settlemyre
Joseph Von Settlemyre

11/2/06
Date